

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No.

05-CV-1381 (FJS/DEP)

v.

0.573 ACRES OF LAND, MORE OR LESS,  
SITUATED IN ST. LAWRENCE COUNTY,  
STATE OF NEW YORK;  
ALCOA POWER GENERATING, INC.;  
and UNKNOWN OWNERS,

Defendants.

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**ORDER FOR DELIVERY OF IMMEDIATE  
POSSESSION OF REAL PROPERTY**


A Complaint in Condemnation and a Declaration of Taking dated September 23, 2005, having been filed herein by the United States on November 3, 2005, together with the deposit of estimated just compensation with the Clerk of the Court, the United States now moves *ex parte* for an order granting it immediate possession of the real property described in the Complaint and Declaration of Taking.

Upon review, it appears to the satisfaction of the Court that United States is entitled by law to immediate possession of said real property. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that any and all persons in possession or control of the real property described in the Complaint and Declaration of Taking filed herein, including Defendants to this action, immediately surrender possession and control of said real property to the United States to the extent of the estate condemned, and

**IT IS FURTHER ORDERED** that the United States serve a copy of this Order upon all persons in possession or control of said real property forthwith.

November 8, 2005  
Syracuse, New York

  
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Honorable Frederick J. Scullin, Jr.  
Chief, United States District Judge